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COMMISSION ON HUMAN RIGHTS

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SUMMARY RECORD OF THE 63rd MEETING
(SECOND PART)*

Held at the Palais des Nations, Geneva,
on Tuesday, 8 March 1994, at 7 p.m.

Chairman: Mr. NEAGU (Romania)

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(a) Status of the Convention on the Rights of the Child;

(b) Report of the Special Rapporteur on the sale of children;

* The summary record of the first part of the meeting appears as document E/CN.4/1994/SR.63.

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RIGHTS OF THE CHILD, INCLUDING:

(a) STATUS OF THE CONVENTION ON THE RIGHTS OF THE CHILD;

(b) REPORT OF THE SPECIAL RAPPORTEUR ON THE SALE OF CHILDREN;

(c) PROGRAMME OF ACTION FOR THE ELIMINATION OF THE EXPLOITATION OF CHILD LABOUR;

(d) PROGRAMME OF ACTION FOR THE PREVENTION OF THE SALE OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY

(agenda item 22) (continued) (E/CN.4/1994/82-3, 84 and Add.1, 91, 95 and 114; CRC/C/16, 19 and 20; E/CN.4/1994/NGO/1 and 17; E/CN.4/Sub.2/1993/31 and Add.1)

1. Ms. ALEMAN (Latin American Federation of Associations of Relatives of Disappeared Detainees) said that children in Latin America were the main victims of the difficult economic and social situation obtaining in the region.

2. In Brazil there were countless reports each day of abuses of street children including abuses by State officials. In effect, the Special Rapporteur had communicated with the Brazilian Government concerning the allegation that law enforcement officers had killed eight street children and injured others in Rio de Janeiro on 23 July 1993. Police officers were also alleged to be involved in the activities of the death squads. Her organization welcomed the fact that the Government of Brazil had agreed to suggestions for reform, particularly in relation to the need to improve the quality of law enforcement personnel and to ensure that they did not enjoy impunity for crimes against children.

3. In countries such as Peru and Colombia, children were abducted for the sale of their organs. The Special Rapporteur had found that a lawyer in Peru might be involved in the disappearance of children linked with the sale of organs. The Government of Peru had so far not replied to communications from the Special Rapporteur. There was evidence that a child had been admitted to hospital in Colombia with diarrhoea and had had his eyes removed. The victims of such acts were the poor, who had no means of hiring a lawyer for their defence.

4. In Guatemala, Honduras, El Salvador and Nicaragua the human rights of street children were progressively undermined. Physical ill-treatment and sexual violence were common. In El Salvador the anti-drug squad carried out raids on street children whose only way of surviving was to sniff glue. In Honduras there had been numerous reports of the abduction of children for illegal organ transplants. Influential political figures in that country had protested, but the Government, while admitting that some children had disappeared, said that the number had been exaggerated and that they had not been linked with trafficking in organs. In Guatemala there were at least 5,000 street children, many of whose parents had been killed or disappeared, especially in rural areas. Children had been victims of military violence, as proved by the discovery in a secret cemetery in the village of Rio Negro of 177 skeletons, a large proportion of which appeared to be those

of indigenous children. Unlawful forcible recruitment of children also continued, as described in paragraph 87 of document E/CN.4/1994/10.

5. Reports from Haiti indicated that 4,000 children under the age of five died every month, whether from malnutrition, caused by the political crisis and the economic embargo of the country, or because of the atmosphere of violence following the coup d'état of September 1991. In February 1994 18 children had been killed by armed men, including members of the military in plain clothes. She urged the authorities to respect the international instruments that had been signed and to implement nutritional, health and education programmes and programmes of assistance for child victims.

6. She also drew attention to the situation in Kurdistan, where families had seen their children killed or arrested and tortured and where the closing of schools had deprived children of their right to education. According to figures provided by the Ministry of Education, over the past three years 662 primary and secondary schools had been closed for reasons of internal displacement or security.

7. In Iran, children were the innocent victims of human rights violations. Thousands had been sent to their deaths in the minefields during the eight years of the Iran-Iraq war. Moreover, a million children were still illiterate owing to the lack of educational facilities in the country.

8. The Convention on the Rights of the Child had been signed by Governments all over the world. Situations such as those she had touched upon represented a reality that was totally at odds with the progress theoretically achieved by the signing of agreements and declarations. Her organization appealed to the Commission to establish mechanisms to monitor the adverse effects on human rights, resulting from economic adjustment programmes and the ill-treatment of children.

9. Mr. CHANGALA (Service Peace and Justice in Latin America) reminded the Commission that article 4 of the Convention on the Rights of the Child stated "With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources". However, the economic situation in general, and the conditions in which Latin American children had to live and grow up were such that that objective was far from being achieved. The structural adjustment policies and neo-liberal concepts predominating in Latin American administrations had victimized the most vulnerable sections of the population, particularly children and young people.

10. Thus, in Argentina, a million children had to work in order to survive, and the infant mortality rate had grown in recent years. In Brazil, the extreme poverty in which substantial sectors of the population lived was well known, indeed notorious, as was "social cleansing", whereby hundreds of children were murdered every year by squads specializing in that unspeakable practice. The situation was one that repeated itself throughout Latin America. Even in Uruguay, which according to the human development index came first in Latin America, and thirtieth in the world, some 300,000

children - out of a total population of 3 million - lived below the poverty line. The situation of children was deteriorating in all the countries of the region.

11. If economic and social rights were considered as inseparable from the other rights, their systematic violation could not continue to be tolerated in the name of the free market, which over the years 1970 to 1990 had led to such a concentration of wealth that 73 per cent of Latin America lived in extreme poverty. That situation inevitably gave rise to numerous instances of violations of economic and social rights, resulting in enormous social divisions and high levels of marginalization, which in their turn gave rise to growing social demands that were generally met with harsh repression and violations of civil and political rights.

12. No part of the process was more significant than the treatment of young people in conflict with the law. On the one hand, the State and society did not provide the most basic conditions for the proper development for the majority of children and young people; yet when that state of affairs led to situations of violation of the law or to alternative ways of survival unacceptable to the system as a whole, the usual course of action was to take repressive measures against them. It was an approach that unfortunately obtained across the whole of Latin America. The vast majority of laws were in open contradiction with the basic principles of the Convention on the Rights of the Child. A child in conflict with the law was considered much more as a social problem than as a person with rights. Indeed, children were treated as criminals, but did not enjoy even the basic procedural rights enjoyed by adult offenders. It was therefore imperative that the legislation should be brought into line with the concept of the child as enjoying rights that was found in the Convention and including full constitutional safeguards in cases of arrest or criminal charges. There should also be a clear line drawn between the criminal and the supervisory authorities for children; currently there was a "grey area" where the State's role as "protector of the child" was confused with the responsibility of the criminal courts. The conditions in which young offenders were held, moreover, were very poor and deteriorating. Detention centres were overcrowded and lacked either basic health and safety provisions or any real educational policies. Children were often in worse conditions than adult prisoners.

13. Both the Committee on the Rights of the Child and the Commission itself had an important role to play in ensuring that States made the appropriate changes to their legislation and in monitoring compliance with the Convention, which had been signed by nearly all countries. Ratification was not enough. Implementation was essential but was still far from being attained. A renewed effort by the international community could be decisive in achieving that goal.

14. Mr. VERGNE SABOIA (Brazil), speaking in exercise of the right of reply, said that his delegation wished to express its surprise and disagreement with the references made to Brazil by the United States delegation in its statement under agenda item 22 at the 62nd meeting. To single out Brazil as a country which deliberately neglected children was completely false and his delegation

was ready to furnish a document describing in detail programmes carried out in Brazil on behalf of children. The United States statement was also at odds with the opinion of UNICEF and other authoritative sources.

15. Moreover, the allegation that children in Brazil were hunted for sport was totally unacceptable and showed a lack of objectivity and information. Indeed, on the evidence of the 1994 UNICEF report, the United States did not have the necessary authority to use such peremptory and unqualified language with regard to other countries. Twenty children died every day from gunshot wounds in the United States and the situation of children belonging to minorities such as Afro-Americans and Hispanics was comparable to that of certain less developed countries.

16. Mr. RODRIGUEZ ALPIZAR (Costa Rica), speaking in exercise of the right of reply, said that the Commission for the Defense of Human Rights in Central America (CODEHUCA) had referred to two alleged irregularities or violations of children's rights in Costa Rica. It was not his country itself which claimed a high level of education, but the international organizations and specialized agencies which gave Costa Rica high marks. He referred CODEHUCA to the 1992 UNDP Human Development Report and to the figures supplied by UNESCO in that regard. Secondly, CODEHUCA had been wrong in claiming that the leader of a gang of street children, who had been killed by a legal investigation unit, was a child. The person in question was 19 years old and according to Costa Rican law and the Convention on the Rights of the Child only those under 18 were considered children. In that regard, he also referred CODEHUCA to the report of the Committee on the Rights of the Child.

FOLLOW-UP TO THE WORLD CONFERENCE ON HUMAN RIGHTS (agenda item 23)
(A/CONF.157/23 and 24)

17. Mr. DESSER (Austria) said that the World Conference on Human Rights had been one of the most comprehensive and significant events in the field of human rights. Some 2,700 representatives of non-governmental organizations had attended and had held activities in parallel with the World Conference. It had been a unique opportunity in particular for organizations from developing countries. NGOs from different parts of the world could exchange experiences and establish links for future cooperation.

18. The search for common ground on the key issues had not always been easy. The commitment of all States to the effective protection and promotion of human rights, however, had meant that, against all the odds, the Conference had been a resounding success. The Vienna Declaration and Programme of Action were guidelines for strengthening future human rights work both by States and by the United Nations. His country attached particular importance to the document because it was forward-looking and action-oriented. Not only did it reaffirm the universal character of human rights, underlining the fact that they were a legitimate concern of the entire international community, but it also established the important interrelationship between development, democracy and human rights. It underscored the obligation of States to take concerted action to protect vulnerable groups. It also stressed the need to fight all forms of racism, discrimination, xenophobia and intolerance; and it stressed the importance of protecting and promoting persons belonging to minorities. The High Commissioner for Human Rights had invoked the "spirit of

Vienna" in his address to the Commission. His delegation trusted that the same spirit would guide the High Commissioner in implementing and following up the results of the World Conference in the years to come.

19. Mr. VERGNE SABOIA (Brazil), speaking on behalf of the Latin American and Caribbean Group of Countries (GRULAC), said that the Governments of the Group considered that only the regular follow-up of the recommendations of the World Conference on Human Rights could ensure that its achievements would be maintained and strengthened. Paragraph 15 of the Programme of Action requested the Commission to consider as a matter of priority the question of adequate means for the system of thematic and country rapporteurs, experts, working groups and treaty bodies. To carry out those activities adequately, however, the Commission and the Centre for Human Rights needed adequate financial resources. The GRULAC was disappointed at the modesty of the resources allocated to the Centre; they were manifestly insufficient for the fulfilment of its tasks. It called on the Secretariat to provide member States with a detailed picture of the needs of the system. Only thus could Governments devise ways of dealing with the matter. On the other hand, expenditure could be reduced if more restraint were exercised in designating new rapporteurs. The Commission must be in a position to support the activities of the existing rapporteurs, who had a very important role to play. The proliferation of rapporteurs, however, could result in the impairment of activities, in a context of diminishing resources.

20. With regard to the recommendations in paragraph 25 of the Programme of Action relating to the question of minorities, the GRULAC considered that the matter had acquired special relevance at a time when disputes arising out of ethnic or religious differences often degenerated into devastating conflicts. It considered the Sub-Commission to be the proper body to deal with the issue of minorities and welcomed its efforts towards more effective action in that field. It appreciated the report submitted by Mr. Eide (E/CN.4/Sub.2/1993/34 and Add. 1-4). It also endorsed the suggestion for further action mentioned in draft resolution E/CN.4/1994/L.27, on the rights of persons belonging to national or ethnic, religious and linguistic minorities.

21. Paragraph 29 of the Programme of Action also referred to the question of the renewal and updating of the mandate of the Working Group on Indigenous Populations after the conclusion of the draft declaration on the rights of indigenous peoples. The GRULAC supported that course of action and proposed the setting up of a working group at its next session to consider the draft. Further, the establishment of a permanent forum for indigenous populations might be considered.

22. Regarding the rights of women, as addressed in paragraph 37 of the Programme of Action, the GRULAC also wished to express its strong support for the ideas contained in draft resolution E/CN.4/1994/L.8 on integrating the rights of women into the human rights mechanisms of the United Nations. In Latin America the essential role played by women in many realms of social life had always been recognized and praised. The GRULAC therefore welcomed the steps taken in Vienna to ensure that the rights of women would be respected worldwide, as well as the recommendation that gender-specific aspects should be regularly considered in the activities of the United Nations system.

23. As for the issue of war crimes and crimes against humanity referred to in paragraph 92 of the Programme of Action, the GRULAC shared the view that such crimes should be punished at the international level. His Group therefore followed with interest the work being accomplished by the International Law Commission on an international criminal court.

24. In conclusion, he said that in reviewing the implementation of the Vienna Declaration and Programme of Action, the Commission must look beyond those sections of the document that were specifically addressed to it and must concern itself with the whole body of principles and recommendations. The Commission should seek to preserve and promote the global, integrated and cooperative approach that constituted the essence of Vienna. He added that the GRULAC considered the establishment of the post of High Commissioner for Human Rights, which arose out of an initiative originated in Latin America, as one of the major achievements of the Vienna Conference.

25. Mr. ZHANG Yishan (China) said that at a time when many important changes had taken place in the international situation, the World Conference on Human Rights had provided an opportunity for peoples of all countries and regions, basing themselves on their changed situation and the specific conditions in their respective countries and regions to sum up their experience, look into the future, discuss ways and means to strengthen international cooperation in the field of human rights and to map out the correct course to be followed.

26. The Chinese delegation believed that in implementing the Vienna Declaration and Programme of Action and its follow-up activities several points should be taken into account. First, there was a need to have a comprehensive and precise understanding and interpretation of the Vienna Declaration and Programme of Action. Secondly, all the recommendations and outcomes of the Conference should be given equal attention and overall implementation; one-sidedness should be avoided. Thirdly, the strengthening of international cooperation in the field of human rights should be based on the purposes and principles of the Charter of the United Nations and on the principle of equality and mutual respect among countries. In that way, countries with different political, economic and social systems and religious and cultural backgrounds could join each other and contribute to the universal realization of human rights; the practices of creating confrontation and imposing one's own view on others should not be followed. Fourthly, while attention should be still given to halting gross violations of human rights resulting from colonialism, racism, foreign aggression and occupation in order to guarantee the full enjoyment of human rights, importance should also be attached to assisting the developing countries in achieving a more rapid development and raising the living standards of their people so as to provide a solid foundation for the universal enjoyment of human rights.

27. China had actively participated in the preparations for and in the World Conference itself in a constructive and cooperative spirit. It was ready to continue to carry out full discussions and serious consultations with other countries with a view to further contributing to the effective implementation of the objectives of the Declaration. China also wished to congratulate Mr. Ayala Lasso on his appointment as the first High Commissioner for Human Rights, and pledged its readiness to work closely with him. It was also pleased to note that he had expressed his willingness to abide by the purposes

and principles of the Charter, his emphasis on the indivisibility and interrelationship of various categories of human rights and on the promotion of constructive dialogue and cooperation, in conformity with the principles of impartiality, objectivity and non-selectivity. The World Conference had demonstrated that although different countries maintained different understandings and positions on human rights issues in view of the specific situations in their various countries, the international community could make progress so long as all countries adhered to the spirit of cooperation and consultation, while putting aside differences. Only when the tendency towards politicization of human rights, selectivity and double-standards was abandoned, when the taking by some countries of human rights issues as a means to impose their own ideologies, values and social systems on others was resisted, when the practice of interfering on other countries' internal affairs on the pretext of "protection of human rights" was resolutely opposed, could the work of the Commission achieve fruitful results and be accepted and welcomed by all Governments and peoples.

28. Mr. PORTALES (Chile) said that his delegation considered the Vienna Declaration and Programme of Action recognized, at the universal level, the ethical and political character of human rights and the importance, of respect for them, beyond any historical, cultural and religious differences between countries.

29. It considered that the system of thematic and country rapporteurs, experts, working groups and treaty bodies, had been a major step forward in the direction of monitoring the protection of human rights. It therefore believed that resources for the proper functioning of the system should be increased, but also used with maximum efficiency.

30. His delegation attached particular importance to the rights of minorities, not only because they were valuable in themselves, but also because they were a key element for the viability of the democratic system in many countries. He hoped that the appointment of the High Commissioner for Human Rights would mark a further step in achieving respect for minority rights.

31. His delegation fully supported the establishment of a permanent forum for indigenous peoples within the United Nations system, since the international community owed a historic debt to the indigenous peoples of many countries who for centuries had suffered discrimination and persecution.

32. His delegation welcomed the positive statements in the Declaration and Programme of Action regarding the rights of women. Representing half the world's population, they had always been discriminated against and kept in subordination. It was therefore appropriate that the World Conference on Human Rights had decided that the topic of equality for women and respect for their human rights should be followed up systematically in the relevant United Nations bodies. His delegation particularly welcomed the appointment of a Special Rapporteur on violence against women.

33. Lastly, he said that the war crimes and crimes against humanity committed mainly against the people of Bosnia and Herzegovina in the context of the conflict in the former Yugoslavia had made it necessary to set up an

international criminal court to punish those crimes. Important though such a step was, however, it was not enough. His delegation fully supported the recommendation of the World Conference to the International Law Commission that work should be put in hand to set up a permanent international criminal court.

34. Mr. ROSSI (International Association for the Defence of Religious Liberty) said that the World Conference on Human Rights had been of great service to the cause of human rights throughout the world; the Vienna Declaration showed that States had finally agreed on the need to intensify their efforts to promote respect for all human rights and fundamental freedoms. Despite such declarations, however, gross and systematic violations of human rights continued to occur almost everywhere - a situation that had to be changed. The world community must intensify its efforts to give effect to international human rights instruments. All persons were entitled not only to know their rights but to exercise them freely. The Secretary-General had said, in his opening address to the World Conference, that the United Nations would be discredited if the instruments to protect human rights remained theoretical or were constantly violated, and that, although the State provided the best safeguard for that purpose, the question of international action could not be ruled out if States failed in their task, since they would thus be contravening the basic principles of the Charter of the United Nations.

35. It was up to the Commission and Sub-Commission, therefore, to deal with States which violated human rights; they should do so in "a spirit of universality, objectivity and non-selectivity", as stated in the Vienna Declaration. As was recommended in General Assembly resolution 48/125, that spirit should guide the activity of all United Nations human rights bodies; that meant that situations in all States, without exception, where large-scale violations of human rights took place should be investigated. Non-governmental organizations should strive to cooperate with the Commission in that regard.

36. Unfortunately, few allegations received the attention that they deserved from the Commission. In the case of some countries, neither the Commission nor the Sub-Commission had adopted suitable measures in respect of large-scale violations which had been continuing for decades. The situation in Saudi Arabia was one instance. Despite that country's considerable economic strides during the past 30 years, the human rights situation, harsh for citizens and foreign residents alike, remained unchanged. There were no political parties or trade unions, and no freedom of religion or the press. Arbitrary arrests were frequent, mostly of foreign workers from developing countries and persons suspected of being Shiite political dissidents. Detainees were regularly held incommunicado; beatings and other forms of physical and psychological torture were current. Female domestic servants from developing countries often had to work in conditions verging upon slavery. Women were treated as second-class citizens; their legal rights differed from those of men. There were restrictions on their movements and form of dress, and they were not allowed to drive a car. The Government prohibited public worship of any religion other than Islam: even Muslims who did not practise the official Sunni faith were subject to discrimination.

The authenticity of such violations had been confirmed in the annual world human rights report Country Reports on Human Rights Practices published by the State Department of the United States.

37. It was not a question of condemning the Government of Saudi Arabia, or other Governments at fault, but rather of helping them to respect and enforce human rights in their territory. If the international community should fail to do all in its power to halt and prevent the suffering caused by such violations it would be shirking its duty. The World Conference on Human Rights would truly have been a turning point if the Commission undertook to investigate, with complete impartiality and free from political considerations, all defaulting States.

38. Ms. KAYALI (Syrian Arab Republic), speaking on a point of order, said that the previous speaker had not been addressing the current agenda item.

39. Mr. SANDERS (International Lesbian and Gay Association) said that the World Conference on Human Rights was the first occasion on which lesbian and gay persons had been recognized in any United Nations human rights forum. His association, which had gained consultative status with the Economic and Social Council in July 1993, had participated in the Conference; for lesbian and gay persons Vienna had marked a beginning.

40. Article 15 of the Vienna Declaration's Programme of Action stated, in its first sentence, that respect for human rights and fundamental freedoms without distinction of any kind was a fundamental rule of international human rights law. The representative of Australia, addressing the Main Committee, had said that one of the remaining areas of discrimination yet to receive serious and detailed attention within the United Nations system was that of sexual preference and that, although discussion of the issue was bound to be difficult, consideration of it was overdue. The action taken at that Conference marked the start of a process which the international community was urged to remember in any planning "beyond Vienna". It was particularly appropriate to do so in 1994, the twenty-fifth anniversary of the beginning of the modern international lesbian and gay liberation movements.

DRAFTING OF A DECLARATION ON THE RIGHT AND RESPONSIBILITY OF INDIVIDUALS, GROUPS AND ORGANS OF SOCIETY TO PROMOTE AND PROTECT UNIVERSALLY RECOGNIZED HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (agenda item 2) (E/CN.4/1994/81)

41. Mr. RZEPLINSKI (Poland) said that the Vienna Declaration and Programme of Action recommended, in paragraph 94, the speedy completion and adoption of a draft declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms. Poland recognized the worth of such a declaration, because true enjoyment of rights and fundamental freedoms depended, inter alia, on effective promotion and monitoring of their exercise.

42. Good law was, of course, easier to achieve in text than in practice. To achieve the latter meant constant teaching of substance and dissemination of values. And a system of governmental and non-governmental institutions was required in order to uphold human rights. The two areas thereby implied - promotion and protection - were distinctly recognized in the draft

declaration. Schools, including training schools for law-enforcement officials, had a crucial role to play with regard to promotion, and for protection it was especially important to have a coherent system of an independent judiciary, parliamentary commissions on human rights, and governmental and other national bodies. Free, independent mass media and a network of non-governmental organizations were likewise important. The declaration should provide a framework of cooperation between public agencies and NGOs active in the field of human rights, whose achievements the adoption of a declaration would salute. In that connection, his delegation regretted any measures to restrict the participation of NGOs in United Nations activities.

43. A defender of human rights needed integrity, courage - often personal as well as civic - and a wide knowledge of domestic and international law and of the social problems of particular countries and communities. Human rights programmes of NGOs were very expensive, especially when they involved providing education. NGOs had to endeavour to raise funds; and the support they received was often subject to over-zealous official scrutiny, especially when an organization's activity did not find favour with public officials. It was vital that the draft declaration established a proper framework in that regard.

44. The draft declaration rightly stressed the role of the individual in promoting and protecting rights and freedoms, and the need for freedom to seek, receive and maintain information about them. Indeed, a full knowledge and understanding of a person's rights was essential to their full exercise, as well as to respect for the rights and freedoms of others. The latter aspect, as rightly emphasized in the draft, should be part of a person's responsibilities. His delegation nevertheless agreed with the majority of the Working Group that sources of individuals' rights and duties differed and that it would be inconsistent with the spirit of human rights law to make them legally interdependent. The State was subject to human rights obligations and international law; the individual bore moral responsibility to contribute to the promotion and protection of human rights, which constituted standards of individual and social life. The State undoubtedly bore primary and ultimate responsibility for the creation and effective functioning of institutions and procedures to promote and protect human rights and freedoms, and it also had special capacity and opportunities in that regard. In the long term, the cheapest and most effective way to create a human rights culture was to adopt the measures envisaged in Chapter II, article 5 of the draft declaration, relating to human rights education at all levels, including the training of lawyers, law-enforcement officers, public officials and military personnel. In that regard, it was essential that the efforts of public officials and human rights defenders should be mutually supportive. In conclusion, his delegation supported all efforts to expedite the preparatory work on the draft declaration.

45. Mr. MANNA (International Federation of Human Rights), also speaking on behalf of Amnesty International, Baha'i International Community, International Federation of Human Rights, Human Rights Watch, International Commission of Jurists, International Human Rights Law Group, Lawyers Committee for Human Rights and International Service for Human Rights, said that the call, at the World Conference on Human Rights, for the speedy completion and adoption of

the draft declaration reflected the international community's desire to provide human rights defenders with an international instrument that recognized the legitimacy of their activities and provided some degree of protection for them. The non-governmental organizations on whose behalf he was speaking wished to inform the Commission of their grave disquiet as a result of certain amendments proposed during the ninth session of the Working Group on the draft declaration; a typical example of the proposals that gave rise to concern could be found in Annex II of the Working Group's report (E/CN.4/1994/81). They deplored the fact that some of the proposed amendments were completely incompatible with the undertaking entered into by the international community at Vienna. The NGOs felt it necessary to remind the Commission of the chief reason for drafting such a declaration: the aim was not to protect States against defenders of human rights, but to provide the latter with protection when carrying out their legitimate activities under international law. They therefore awaited a clear and unambiguous indication of the Commission's intention of achieving that objective as soon as possible.

The meeting rose at 11.40 p.m.